

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARNELL DAVID SMITH and  
JOSHUA ALEXANDER MEDINA  
Defendants.

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8:21CR226

ORDER

This matter is before the court on defendant Darnell David Smith's Motion to Continue Trial [39]. On the basis of the statements set forth in the motion, the undersigned magistrate judge finds good cause for the requested continuance. Accordingly,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [39] is granted, as follows:

1. The jury trial, **for defendants, Darnell David Smith and Joshua Alexander Medina**, now set for December 7, 2021, is continued to **January 25, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 25, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED: October 28, 2021.**

**BY THE COURT:**

**s/ Michael D. Nelson  
United States Magistrate Judge**